

KASOWITZ BENSON TORRES LLP

STEPHEN P. THOMASCH
DIRECT DIAL: (212) 542-4733
DIRECT FAX: (212) 504-2832
STHOMASCH@KASOWITZ.COM

1633 BROADWAY
NEW YORK, NEW YORK 10019
(212) 506-1700
FAX: (212) 506-1800

ATLANTA
HOUSTON
LOS ANGELES
MIAMI
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WASHINGTON DC

May 8, 2024

VIA ECF

MEMORANDUM ENDORSED

Hon. Gabriel W. Gorenstein
United States District Court
Southern District of New York
500 Pearl Street
New York, NY 10007

Re: Espire Ads LLC, et al. v. TAPP Influencers Corp., et al., No. 1:21-cv-10623 & TAPP Influencers LLC, et al. v. Espire Ads LLC, et al., No. 1:21-cv-11068

Your Honor:

We represent the TAPP Parties in the above-captioned consolidated actions. We write, pursuant to Rule 1.F of Your Honor's Individual Practices, in response to Your Honor's May 7th order (ECF No. 139) setting a conference on Friday, May 10th at 3:30 pm to discuss the discovery disputes raised by the parties' May 2nd joint letter (ECF No. 138). The TAPP Parties request an adjournment of the conference until Friday, June 7th at 3:30 pm because they have selected new counsel to represent them in this consolidated action. The requested extension would allow substitute counsel the opportunity to enter an appearance and get up to speed on the record and issues in this action in advance of the conference. Espire Parties' counsel, Zachary Meyer, confirmed that he consents to this request, but asks that, if the Court is available on Thursday, June 6th at 3:30 pm, the hearing is rescheduled for that day. The TAPP Parties are available on either day.

Thank you in advance for your attention to this matter.

Respectfully,
/s/ Stephen P. Thomasch
Stephen P. Thomasch

The conference is adjourned sine die. The Court is not setting a new date at this time because the joint letter filed by the parties (Docket # 138) in many, if not most, instances fails to provide responses to the arguments made by the opposition as required by Docket # 136. The Court is hopeful that new counsel will see the infirmities in the letter and will work with Espire to produce a letter that explains each side's position or, better yet, eliminates issues. As soon as practicable, the parties are directed to confer by telephone and at length regarding the disputes and to file a new letter by June 6, 2024 that will replace Docket # 138. In that new letter, the parties shall propose dates/time for the rescheduled conference.

So Ordered.



GABRIEL W. GORENSTEIN
United States Magistrate Judge

May 9, 2024